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**PATENT**

Docket No: BE-189

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Stephan Rieth  
Serial No: 10/594,956  
Filed: September 29, 2006  
For: MILLING HEAD FOR MILLING CHAMFERS  
Examiner: Willmon Fridie, Jr.  
Art Unit: 3724

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
BASED ON FAILURE TO RECEIVE OFFICE ACTION**

S I R:

In response to the Notice of Abandonment mailed March 27, 2009, Applicant hereby petitions to withdraw the holding of abandonment of the above-identified application.

Applicant petitions under 37 CFR 1.181(a) requesting withdrawal of the holding of abandonment because the office action was never received in the mail.

Submitted herewith are copies of the logbook of incoming mail of the undersigned attorney showing that the office action was not received during the period of September 15, 2008 through October 31, 2008.

In addition, a search of the file jacket of the application has been performed by the undersigned attorney but the office action was not found. Also submitted is a copy of the month of December 2008 of a calendar maintained by the undersigned attorney by docket number and the type of response required. Once all communications received from the USPTO have been entered in the logbook, those communications which require a response are entered into the calendar. This calendar is checked daily and reminders are sent in connection with those applications where no response has yet been filed. If a response is filed, the docket number is crossed out in the calendar. This system has proven reliable and has been used by the undersigned attorney for the last fifteen years without problems.

Accordingly, it is respectfully submitted that this petition should be granted and the office action be remailed.

The Commissioner is authorized to charge any fees or charges required at this time in connection with this application to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

*F K*

Friedrich Kueffner  
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Suite 910  
New York, N.Y. 10017  
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Dated: April 10, 2009

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 10, 2009.

By: *F K*  
Friedrich Kueffner

Date: April 10, 2009



Sep 15, 08 (cont)

Hm-854 12/224,700 Assignment T

FI-104 12/224,699

FE-07 6,189,223

BE-243 29/307,527

Maintenance fee Reminders

IP fee (9/11/08)

due Dec 16,

Sep 18, 08

FE-13 6,860,075

Mfe Reminders due March 1,

MR-27 76/457,445

Suspension Inquiry

MM-20 6,098,432

Pat expired

KIV-91 4/251,053

Issue Not

Sep 22, 2008

SC-05 10/527,612 OA(9/17/08) 3mo

due Dec 17

BE-151 10/533,040 OA(9/17/08) 3mo

due Dec 17

BE-204 29/288,496 OA(9/17/08) 3mo

due Dec 17

Hm-553 10/859,046 IP fee (9/17/08) 3mo

due Dec 17

Sep 23, 08

4KH-77 12/087,551 M Requ (9/19)

due Nov 19

KN-94 11/367,148

IP fee (9/19)

due Dec 19, 08

BE-153 29/231,619

IP fee (9/19)

due Dec 19, 08

79/046,653

Published TM

GR-48 con 11/522,129

Issue Not

GR-67 11/111,094

Sep 24, 08

HKH-T9	12/231,321	M Parts (9/22)	2mo	due Nov
L2-91	10/511,521	IP fee (9/22)	3mo	due Dec

Sep 25, 08

BU-10	10/531,679	Adm. Action (9/8)		due Nov 8,
BE-170	10/510,414	IP fee (9/23)		due Dec 23,
PR-70	11/077,180	QA (9/23)	3mo	due Dec 23,
BP-102	11/667,027	QA (9/23)		due Dec 23, c
Hm-5290IV	11/282,809	QA (9/23)		due Dec 23, c
L2-82	10/481,928	Abandoned		
Hm-760	11/629,156	Issue Not.		

Sep 26, 08

Hm-554	10/488,454	QA (9/24) FR		due Dec 24, c
GR-53	10/174,678			
FE-13	6,869,075	M fee Statement		
MO-72	6,102,322	Expired		
L2-80	6,863,591	Fee Reminders		
PM-39	6,196,628			
	6,866,485	M fee Statement		

Sep 29, 08

KN-89D/V	29/294,409	Non Compl And (9/26)	1mo	due Oct 26,
Hm-691	10/567,895	IP fee (9/25)		due Dec 26, c

Sep 29, cont

EW-219	77/543,060	TM (9/24) Cmo	due March 2
HM-498	10/312,749	Reversed decision (9/24)	
LZ-71	10/418,195	Affirmed - in-lact (9/25)	due Nov
FI-90A	79/034,792	Appeal dismissed	
HM-698	10/580,788	Issue Mat.	
HK4-20	11/217,221	"	
HM-709	10/510,413	"	
EW-200	29/289,592	"	
PR-65	10/949,026	let. Granted	

OCT, 1 2008

HM-632	10/535,771	Reply (9/29) lmo	due Oct 2
FE-25	12/231,548	in-lact (9/29) 2mo	due Nov
BP-97	11/599,187	OA (9/29) dmo	due <del>OCT</del>
HM-622	10/535,772	OA (9/29) 3mo	due Dec 2
HM-648	10/534,942	OA (9/29) 3mo FR	due Dec
MR-27	76/457,445	Suspension (9/15) Cmo	due March

OCT 2, 2008

HM-696	10/580,168	OA (9/30) lmo	due Oct 30
KN-65COM	29/264,095	OA (9/30) lmo	due Oct 30
KN-93DIV	11/657,792	OA (9/30) lmo	due Oct 30
St-40	11/431,402	OA (9/30) 3mo	due Dec 30
St-36	11/271,514	OA (9/30) 3mo	due Dec 30

Oct 3, 2008

Hm-835 12/087,191 Filing Receipt  
RW-193 76/671,176 TM (9/26) Cmo due Marc  
RW-187 10/586,096 Publication  
LZ-119 11/596,615 "  
HKH-63 79/023,827 Reg Certificate

Oct 6, 2008

LZ-81 10/474,893 OA (10/3) 1mo due Nov 3, 1  
RW-210 12/069,171 OA (10/3) 3mo due Jan 3, 0  
KN-92 11/299,345 OA (10/2) 3mo due Jan 2,  
PR-86 11/650,339 OA (10/2) 3mo due Jan 2, 0  
BM-205 11/716,194 IP fee (10/3) 3mo due Jan 3, 0  
GR-66 11/111,068 Issue Not  
PL-01 76/245,188 Not of Acceptance  
PL-02 76/245,187 "

Oct 8, 2008

HKH-62 11/886,381 OA (10/6) 3mo due Jan 6, 09  
Hm-505 10/343,580 IP fee (10/6) due Jan 6, 09  
PR-43 6,779,373 Expired  
SC-08 11/547,931 Filing Receipt

Oct 9, 2008

PR-71	11/061,851	Reply (10/8) 1mo	due Nov
Hm-552DIV	11/703,434	<del>Can</del> REC?	due Nov
KN-123	11/974,167	OA (10/7) 3mo	due Jan 7,
Rw-106CON	10/869,205	IPfee (10/8) 3mo	due JAN 8
PR-76	11/203,663	IPfee (10/7) 3mo	due JAN 7
BU-11	10/531,681	Granted / BOA	due OCT 1
FE-15	10/009,680	Abandoned?	
HV-05	6,199,475	Mfee Reminder	- due March
KS-134	6,866,455	Mfee Reminder	- due March 1
BM-23	6,199,618	"	- due March 1
PR-18	6,106,041	Expired	
GR-48CON	11/522,129	Issue Not	
GR-67	11/111,094	"	

OCT 10, 2008

BU-14	10/535,650	BOA (9/11) 2mo	due Nov 11,
Hm-614	10/523,600	OA (10/8) 3mo	Fr due JAN 8,
GR-57CON	11/510,457	OA (10/8) 3mo	Fr due JAN 8
BE-169	10/567,933	OA (10/8) 3mo	due JAN 8
Hm-847	12/223,416	Mis Requ (10/8) 2mo	due Dec 8
BE-125	10/815,455	IPfee (10/8) 3mo	due JAN
KS-220	12/215,717	Filing Receipt	
FI-79	76/659,604	NO A-TM	due April



OCT 14, 2008

Hm-556	10/489,003	OA	due NOV 15
Hm-623	10/534,944	OA	
GR-66DIV	12/283,316	Corrected faprs (10/9) 2mo	due Dec 9,
BU-24	10/577,082	OA (10/9) 3mo	due Jan 9
BP-109	29/308,396	1p fee (10/8) 3mo	due Jan 8
MR-07	2,616,674	lost leg (9/22) 6mo	due March
Hm-854	12/224,700	<del>Hm-854</del> Accepted	
BP-160V	12/25,707	Filing Receipt	
BE-189	10/594,956	published	
KN-66	6,905,145	1p fee Statement	
KN-43	6,893,196	"	
KN-63	6,905,147	"	
BM-36	6,213,816	"	

OCT 16, 2008

BP-101	11/665,721	OA (10/14) 1mo	due Nov 1
Hm-762	11/629,506	1p fee (10/14)	due Jan 14,
Hm-757	11/630,466	1p fee (10/9)	due Jan 9,
RW-217	12/215,381	Filing Receipt	

OCT 17, 2008

PR-82	78/877,032	TM (10/14) 6mo	due April 14, 08
Hm-839	12/087,193	Filing Receipt	
FI-96	11/921,816	"	
BR-05	79/036,412	TM (9/17) final	due Dec 30, 08

OCT 21, 2008

GR-69	11/412,661	Abandoned	due asap
Hm-667	10/555,854	NoA/RCE?	due
HKH-11	10/515,600	AmT (10/20) 1mo	due NOV 20,
Bm-181	11/250,167	AmT (10/17) 3mo	due Jan 17,
Hm-5520	11/703,435	AmT (10/17) 3mo	due Jan 17, 0
BV-78	10/575,281	1p fee (10/17) 3mo	due Jan 17, 0
BE-252	29/308,934	Filing Receipt	
BE-253	29/308,939	"	
BE-256	29/308,935	"	
BE-257	29/308,936	"	
BE-259	29/308,945	"	
BE-260	29/308,932	"	
BE-262	29/308,944	"	
Hm-618	10/528,324	Docketing Notice	
PM-207	11/885,312	Ret. Granted	
BV-23	10/577,081	Issue Not.	
Bm-199	11/887,844	"	
Bm-162	10/520,727	"	
HF-83	11/186,604	"	
Hm-730	10/586,989	"	

OCT 22, 08

Hm-661	10/544,605	RCE (5/12/02) 3-mo-24	due NOV 12, 08
Hm-849	12/223,410	Mis Regu. (10/20) 2mo	due Dec 20, 08
Hm-660	10/544,604	AmT (10/20) FR	due JAN 20, 09

Oct 23, 08

BM-209 11/918,309 Filing Receipt  
KN-53 6,918,161 Mfe Statement  
PR-19 6,112,652 Pat Expired  
CR-66 11/111,068 Notification

October 24, 08

HF-85 761675,841 Certificate  
Hm-739 11/578,811 RCE due  
Hm-729 10/585,045 RCE due Nov 8, 20  
BU-17 10/574,246 (10/22) NonCom Agmt lmo due Nov 22,  
BR-05 79/036,412 TM due Dec 30, 200  
Hm-851 12/226,128 Recorded

Oct 28, 08

PR-65 10/949,026 OA, 1/? due Jan 24, 09  
BE-218 29/291,172 IPfee (10/24) due Jan 24, 09  
ST-45 12/070,343 OA (10/24) ✓ due Jan 24, 09  
BU-25 10/577,029 OA (10/24) FR due Jan 24, 09  
PR-68 11/009,953 OA (10/24) FR due Jan 24, 09  
BE-202 11/787,188 Publication  
KN-39 6,918,279 Mfe Statement  
BE-254 29/308,938 Filing Receipt  
BE-255 29/308,937 4  
BE-261 29/308,943 "

## Oct 28, Cont

BE-263	29/308,942	Filing Receipt	
BE-264	29/308,941	"	
RW-220	12/284,898	"	
RW-220	12/284,898	Miss Parts (10/24)	due Dec 24,
FI-104	12/224,699	Filing Receipt	
Hm-858	12/223,951	"	

## Oct 30, 2008

KS-206	79/040,814	Notice of Opposition	
ST-44	29/292,597	OA (10/27) 2mo	due Dec 27, 0
Bm-160	10/516,852	OA (10/28) 3mo	due Jan 28, 09
KN-88	11/217,222	NDA (8/7)	due Nov 7, 0
Hm-77	10/583,303	OA (10/28) 3mo	due Jan 28, 09
KN-110	11/489,214	OA (10/28) 3mo FR	due Jan 28, 09
BP-107	11/989,499	Mis Regu (10/27) 2mo	due Dec 27, 0.
PR-37 Div	10/993,334	Abandoned	
BE-165	10/553,071	"	
RW-150	10/158,691	Granted (10/28) BoA 2mo	due Dec 28, 0
KS-199	3,440,936	Certificate	

## Oct 31, 08

LZ-91	10/511,521	NOA (10/29) 3mo <sup>no ext</sup>	due JAN 29, 09 X
RW-152	10/793,674	OA (10/29) 3mo FR	due JAN 29, 09
Bm-198	11/578,878	OA (10/29) 3mo FR	due JAN 29, 09

AY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3	4	5	6
	336/30	337/29	338/28	339/27	340/26	341/25
	HE 411 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9
	8	10	12	14	16	18
	342/24	344/22	346/20	348/18	350/16	352/14
	HE 411 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9
	15	17	19	21	23	25
	348/17	350/16	352/14	354/12	356/10	358/8
	HE 411 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9
	20	22	24	26	28	30
	355/11	357/9	359/7	361/5	363/3	365/1
	HE 411 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9
	25	27	29	31	33	35
	360/6	362/4	364/2	366/0	368/34	370/32
	HE 411 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9
	30	32	34	36	38	40
	364/2	366/0	368/34	370/32	372/30	374/28
	HE 411 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9	K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9 K-111 1000 4/1/9